

REMARKS

Claims 1-27 are currently pending in the subject application. Claims 15-20, 25 and 26 are withdrawn in connection with the election requirement of January 4, 2006. Claims 1 and 8 are independent.

Applicants appreciate the Examiner's acknowledgement of applicants' claim for foreign priority and receipt of a certified copy of the priority document.

Applicants also appreciate the Examiner's acceptance of the drawings filed on January 15, 2004.

Applicants further appreciate the Examiner's consideration of applicants' Information Disclosure Statements filed on January 25, 2004, June 22, 2004, and April 1, 2005.

Claims 1-14, 21-24 and 27 are presented to the Examiner for further prosecution on the merits.

A. Introduction

In the outstanding Office action, the Examiner rejected claims 1-10, 22-24 and 27 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,158,844 to Murakami et al. ("the Murakami et al. reference"); rejected claims 11, 12 and 21 under 35 U.S.C. § 103(a) as being unpatentable over the Murakami et al. reference in view of U.S. Patent No. 6,028,615 to Pletcher et al. ("the Pletcher et al. reference"); and objected to claims 13 and 14, while indicating that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

B. Asserted Anticipation Rejection of Claims 1-10, 22-24 and 27

In the outstanding Office action, the Examiner rejected claims 1-10, 22-24 and 27 under 35 U.S.C. § 102(b) as being anticipated by the Murakami et al. reference. Applicants

respectfully traverse this rejection and respectfully submit that the Examiner failed to set forth a *prima facie* case of anticipation for at least the reasons set forth below.

In the outstanding Office action, the Examiner asserted that the Murakami et al. reference discloses, *inter alia*,

a ground electrode (16) and a source electrode (15) arranged near an outlet of the nozzle (14), the ground electrode (16) and source electrode (15) forming an electric field due to an application of a voltage thereto and ionizing air near the outlet of the nozzle to produce an ion wind to decrease a pressure near the outlet of the nozzle to expel the ink contained in the nozzle (column 18, lines 7-26).

Office action of Mar. 9, 2006, at paragraph no. 6, page 3.

Applicants respectfully disagree with the Examiner's characterization of the Murakami et al. reference, and respectfully submit that the Murakami et al. reference fails to disclose, or even suggest, producing an ion wind to decrease a pressure near the outlet of the nozzle to expel ink, as recited in claims 1 and 8. In particular, the Murakami et al. reference is directed to printing using an electrostatic attraction between electrically charged ink and an oppositely-charged recording medium platen. *See, e.g., FIG. 2 and col. 13, lines 16-25 of the Murakami et al. reference, which state that a positive charge is formed on a surface of the ink, and the charged ink is attracted to an oppositely-charged platen disposed on a backside of a recording medium.* Moreover, the passage of the Murakami et al. reference cited by the Examiner, viz., col. 18, lines 7-26, merely describes a means of charging the platen, "so that a surface potential . . . can be applied to the recording medium." *The Murakami et al. reference, col. 18, lines 15-17.*

Applicants respectfully submit that the Murakami et al. reference fails to disclose producing an ion wind to decrease a pressure near the outlet of the nozzle to expel ink, as recited in claims 1 and 8. Even assuming, *arguendo*, that platen charging device 31 in FIG. 14 of the Murakami et al. reference ionizes air, the Examiner has provided no basis for the

assertion that the charging device 31 creates an ion wind that reduces pressure around the nozzle or that ink is expelled by the ion wind. Accordingly, applicants respectfully submit that the Murakami et al. reference fails to disclose, or even suggest, each and every element of rejected claims 1 and 8. The remaining rejected claims depend from respective ones of claims 1 and 8, and are believed to be allowable for at least the reasons that their respective base claims are allowable. Therefore, applicants respectfully request that this rejection be reconsidered and withdrawn.

C. Asserted Obviousness Rejection of Claims 11, 12 and 21

In the outstanding Office action, the Examiner rejected claims 11, 12 and 21 under 35 U.S.C. § 103(a) as being unpatentable over the Murakami et al. reference in view of the Pletcher et al. reference. Applicants respectfully traverse this rejection. Applicants respectfully submit that the Pletcher et al. reference fails to provide the teachings noted above as missing from the Murakami et al. reference. Accordingly, as claims 11, 12 and 21 depend from claim 8, they are believed to be allowable for at least the reasons set forth above. Therefore, applicants respectfully request that this rejection be reconsidered and withdrawn.

D. Allowable Subject Matter

Applicants appreciate the Examiner's indication that claims 13 and 14 recite allowable subject matter. However, applicants respectfully submit that all of the pending claims are allowable over the cited prior art.

E. Conclusion

In view of the above, applicants respectfully submit that claims 1-14, 21-24 and 27 are allowable over the cited prior art. As independent claim 8 is generic to withdrawn claims 15-20, 25 and 26, respectively, applicants respectfully request that the election of species requirement of January 4, 2006, be withdrawn and claims 15-20, 25 and 26 be rejoined.

If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing amendments and remarks, reconsideration of this application is earnestly solicited, and an early and favorable further action upon all the claims is hereby requested.

Respectfully submitted,

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PETITION and
DEPOSIT ACCOUNT CHARGE AUTHORIZATION

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying-papers may also be charged to Deposit Account No. 50-1645.